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Patent Application  
Attorney Docket No. PC11724E

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By \_\_\_\_\_

(Signature of person mailing)  
Madeline Deveran

(Typed or printed name of person)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Zheng J. Li, et al. : Examiner: PESELEV, ELLI  
APPLICATION NO.: 10/652,655 : Group Art Unit: 1623  
FILING DATE: August 28, 2003 :  
TITLE: CRYSTAL FORMS OF AZITHROMYCIN

Mail Stop Amendment  
Hon. Commissioner of Patents and Trademarks  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

FIFTH SUPPLEMENTAL RESPONSE

This Response is filed to clarify applicants' position that there is no interfering subject matter between the claims of the present application and those of Singer et al., U.S. Patent No. 6,365,574 and its reissue application (hereinafter "Singer").

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